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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,309	12/16/2004	Walter Gerlich	2002P03697WOUS	6666

7590 09/26/2005

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

FIGUEROA, FELIX O

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/518,309

Applicant(s)

GERLICH ET AL.

Examiner

Felix O. Figueroa

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 16-34 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 December 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/16/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the coat of corrosion-resistant material, as required by claims 28 and 29; the rib/bead as required by claim 31; and the coat/over-mold of polymer/elastomer, as required by claim 33, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Since the drawings in the present application have been taken from the PCT document, it is suggested that Applicant file a full set of drawings to be placed in the application, in order to prevent confusion and ensure the appropriate drawing are printed at the time of publication.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure. The form and legal phraseology often used in patent claims, such as "comprising" and "said," should be avoided.

The disclosure is objected to because of the following informalities: In the last line of page 6, "shoes" should be --shows--.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the rib or bead are not disclosed or described in the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 16-21, 25-27,31 are rejected under 35 U.S.C. 102(b) as being anticipated by Gutter et al. (US 4,696,908).

Gutter discloses a contact device (10,31) for an electrical cable with a cable shield, comprising: an arc-shaped contact part that can be fastened around the sheath of the cable and is provided with contact elements (16) that protrude in a radially inward manner, wherein each contact element includes a tip (42) such that during installation of the contact device in a direction of impact that oriented inwards and in an essentially radial manner, the tip penetrates the cable sheath and produces an electrical contact with the cable shield, wherein the contact part is formed as a cable clip (10,31), wherein a gear ring (defined by 16) is formed from radially inward bent edges of the cable clip being, wherein teeth of the gear ring form the contact elements, wherein the gear ring has stops (18) bent radially inward between the teeth, the stops centering the cable clip in the fastened state.

Regarding claim 17, Gutter discloses the teeth of the fastened contact clip penetrating the cable sheath such that an electrical contact is provided in an essentially concentric area with respect to the longitudinal axis of the cable.

Regarding claims 18 and 19, Gutter discloses the cable clip is the made from a punched and shaped component of sheet metal section.

Regarding claims 20 and 21, Gutter discloses the contact teeth being triangular and shaped and the tips are arranged at equal distances apart.

Regarding claims 25 and 26, Gutter discloses the teeth being arranged of the peripheral side over gaps (Fig.1).

Regarding claim 27, Gutter discloses the contact part and all the teeth being made from one piece and from the same metallic material.

Regarding claim 31, Gutter discloses the contact part at a side turned away from the cable being provided with a bead or a rib (17).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gutter.

Gutter discloses the claimed invention except for height of the tooth. It would have been an obvious matter of design preference to form the sized of the tooth to be smaller than the thickness of the cable sheet and the cable shield in order to reduce the chances of short-circuiting with the inner conductors, and since such modification would have involved a mere change in the size of a component. A change in size is recognized as being within the level of ordinary skill in the art. *In re rose*, 105 USPQ 237 (CCPA 1955).

Claims 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gutter in view of Rumbach et al. (US 2003/0175550).

Gutter discloses substantially the claimed invention except for the corrosion-resistant material/coating. Rumbach teaches the use of a tin as a corrosion-resistant

coating to prevent corrosion and provide a reliable performance. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a corrosion-resistant material, as taught by Rumbach, to prevent corrosion and provide a reliable performance.

Claims 32 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gutter in view of Applicant's Admitted Prior Art (APA) in Figure 1.

Gutter discloses substantially the claimed invention except for contact device being connected to a board/support unit. Applicant's APA teaches a contact device (6) grounding a cable to a board/support unit. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the contact device of the APA with teeth contact elements, as taught by Gutter, to provide an easier installation and secure grounding.

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gutter in view of Moyles (US H000968).

Gutter discloses substantially the claimed invention except for the coat of polymer/elastic material. Moyles teaches the use of a coat of polymer/elastic material (14) to avoid damage to the cable. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the contact device of Gutter with a coat of polymer/elastic material, as taught by Moyles, to avoid damage to the cable.


Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (571) 272-2003. The examiner can normally be reached on Mon.-Fri., 10:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 Ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Felix O. Figueroa
Art Unit 2833